

PATENT USSN: 09/960,315
Atty Dkt: 034047.0041 (RIID 99-12A)

REMARKS

The Office action mailed 7 February 2005, has been received and its contents carefully noted. The pending claims, claims 17, 18, 21-27, 40, and 44-46, were rejected. By this amendment, claims 17 and 25 have been amended. Specifically, claims 17 and 25 have been amended to clarify that the ricin B-chain is removed from the deglycosylated ricin A-chain prior to administration. Support may be found in the specification and the claims as originally filed, see for example, page 8, second paragraph of the specification and the examples. No statutory new matter has been added. Therefore, reconsideration and entry of the claims as amended is respectfully requested.

Rejection under 35 U.S.C. 102(b)

The Examiner maintained the rejection of the claims under 35 U.S.C. 102(b) as being anticipated by Thorpe et al. The Examiner indicated that Thorpe does NOT teach the removal of the B-chain prior to administration. The Examiner stated that amending the claims to recite, in a manner consistent with the specification, that ricin B-chain is not an active component of the composition used in the claimed methods will result in withdrawal of the present rejection.

Applicants respectfully submit that the claims as amended clearly indicate that the ricin B-chain is removed from the deglycosylated ricin A-chain prior to administration. Support may be found throughout the specification as originally filed. Since Thorpe does NOT teach removal of the B-chain prior to administration, the claims as amended are free of the prior art. Therefore, the rejection under 35 U.S.C. 102(b) should properly be withdrawn.

Applicants gratefully appreciate and acknowledge the Examiner's assistance during the prosecution of this application.

Request for Interview

Applicants respectfully request either a telephonic or an in-person interview should there be any remaining issues.

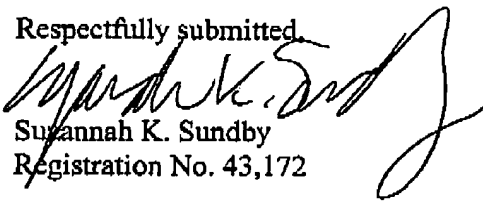
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CONCLUSION

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, in the event that additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. §1.136(a), and any fees required therefor are hereby authorized to be charged to **Deposit Account No. 210-380, Attorney Docket No. 034047.0041 (RIID 99-12A).**

Respectfully submitted,


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Date: 18 February 2005
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I hereby certify that this correspondence is being:

- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Mail Stop: Amendment, P.O. Box 1450, Alexandria, VA 22313-1450.
- ☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

On 18 February 2005, by Suzannah K. Sundby

Signed: 